

9ev. 02/2006

COURTROOM MINUTES OF CRIMINAL PROCEEDINGS
Norfolk/Newport News Division

SENTENCING MINUTES

Set: 2:00 p.m.
Started: 2:00 p.m.
Ended: 2:55 p.m.

Date: June 20, 2014
Judge: Rebecca Beach Smith
Court Reporter: Jody Stewart, OCR
U.S. Attorney: Stephen Haynie, AUSA
Defense Counsel: S. Katchmar, AFD
Courtroom Deputy: Susan Cherry
Probation Officer: Kimberly Falatic
Interpreter: _____

Case No. 2:13cr92-1

Defendant: William Wellington Hooper, Jr. () In custody (X) On bond

X Came on for disposition.

USA's Motion for Acceptance of Responsibility (document #).

Granted. Denied.

X Court adjudged defendant guilty of Count 5 of the Indictment, after entering a plea of guilty before a Magistrate Judge.

X Presentence Report reviewed. X Objection withdrawn by defendant.

Evidence presented. (Witnesses and exhibits listed on last page)

X Arguments of counsel heard. X Statement of defendant heard.

IMPRISONMENT:

SENTENCE: Count 5 : The defendant shall be committed to the custody of the BOP to be imprisoned for a total term of 13 months. (See last page for court recommendations)

X The defendant shall self-report for the service of the sentence at the institution designated by the Bureau of Prisons on or before August 20, 2014, by 3:00 p.m. If an institution has not been designated by that time, the defendant shall self-report for service of the sentence to the United States Marshal's Office, 600 Granby Street, Norfolk, VA 23510, by 3:00 p.m., on August 20, 2014.

SUPERVISED RELEASE:

X Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years.

Special Conditions of Supervised Release/Probation:

- 1) The defendant shall not incur new credit charges or open additional lines of credit without the approval of the probation officer.
- 2) The defendant shall provide the probation officer access to any requested financial information.
- 3) The defendant shall apply monies received from income tax refunds, lottery winnings, inheritances, judgments, and any anticipated or unexpected financial gains to the outstanding court-ordered financial obligation, or in a lesser amount to be determined by the Court upon the recommendation of the probation officer.
- 4) The court does not deny federal benefits because the denial is not applicable.
- 5) During the period of supervised release, the defendant shall provide a copy of his federal and state tax returns each year to the probation officer.
- 6) The defendant shall provide written notification of the nature of his conviction to any employer he may have during his period of supervised release. A copy of this written notification shall be submitted to the probation officer, and the probation officer shall verify that the defendant's employer received this notification.
- 7) The defendant shall participate in the Treasury Offset Program (TOP) as directed by the probation officer.
- 8) The defendant is prohibited from holding employment that would permit him to handle government or civil contracting.
- 9) The defendant shall continue to participate in a program for financial counseling at the direction and discretion of the probation officer. The defendant shall bear the costs of this program.
- 10) The defendant shall continue to participate in a mental health treatment and counseling program, with a focus on anger management, at the direction and discretion of the probation officer. The defendant shall bear the costs of this program.
- 11) The defendant shall participate in a substance abuse treatment and counseling program, if deemed appropriate, at the direction and discretion of the probation officer, to include in-patient treatment if necessary. The defendant shall bear the costs of this program.
- 12) The defendant shall waive all rights of confidentiality regarding substance abuse/mental health treatment in order to allow the release of information to the United States Probation Office and authorize communication between the probation officer and the treatment provider.

FINANCIAL PENALTIES

X The court waives the cost of prosecution, incarceration, and supervised release, except to the extent the defendant will have to bear costs as outlined in the Special Conditions of Supervision.

SPECIAL ASSESSMENT:

X As to count 5, the defendant shall pay a special assessment in the amount of \$100.00.

 As to count the defendant shall pay a special assessment in the amount of .

The total special assessment due is \$100.00 and shall be due in full immediately.

FINE:

 No fines have been imposed in this case.

X The defendant shall pay a fine in the amount of \$3,000.00.

RESTITUTION:

The court grants a continuance of restitution determination of up to thirty (30) days. Unsigned copy of the Restitution Order attached to minutes.

SCHEDULE OF PAYMENTS:

X Interest on the fine is waived.

X Interest on the restitution accrues as provided in 18 U.S.C. § 3612(f).

X The special assessment/fine/restitution is due and payable immediately. The defendant shall pay to the Clerk at least \$500.00 per month beginning sixty (60) days from the inception of supervised release toward any restitution remaining unpaid. The court reserves the option to alter this amount, depending upon defendant's financial circumstances at the time of supervised release and depending upon how much restitution has been paid.

 Restitution shall be made jointly and severally with co-defendant Harry Siegfried Rahn, Jr. (docket no. 2:13cr92-2).

____ Nothing in the Court's order shall prohibit the collection of any judgment or fine by the United States.

____ The defendant notified of right of appeal.

 X Court noted that defendant waived right of appeal in plea agreement.

 X On motion of the government, remaining counts dismissed.

____ The defendant is continued on present bond and cautioned re bail jumping.

____ Consent Order of Forfeiture, executed and filed in open court.

Additional Counts/Comments:

- X The Court makes the following recommendations to the Bureau of Prisons:
- 1) The defendant shall undergo a medical and mental health evaluation and receive appropriate medical care and mental health treatment and counseling, in particular for anger management.
 - 2) The defendant shall participate in a financial counseling and management program.
 - 3) The court recommends that the defendant be incarcerated on the East Coast as close to the Virginia area as possible.